IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2138 OF 2004
IN
ARBITRATION PETITION NO.416 OF 2004

Union of India ....Petitioner

V/s.

M/s.Parnera Enterprises ....Respondent

Mr.Suresh Kumar for the Petitioner.

Mr.Neerav Parmar, Proprietor of the Respondent present in person.

CORAM : S.J. VAZIFDAR, J.
DATED : 1ST NOVEMBER, 2004.

P.C. :

1. The application is for condonation of delay in filing the Petition for setting aside the award. The award dated 24th March, 2004 was received by the Petitioner on 27th March, 2004. The Petition was filed on 6th July, 2004. The initial period of 90 days was expired. However, the period between the proviso to Section 34 (3) of the Arbitration and Conciliation Act, 1996, has not expired.

2. Considering the averments and the submissions

in the affidavit in support, the Notice of Motion is made absolute in terms of prayer (a). The Petitioner shall pay to the Respondent costs of this Notice of Motion fixed at Rs.2500/- as a condition precedent to the hearing of the Petition.

3. The Notice of Motion is accordingly disposed of.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar/Court Stenographer of this Court.